

**IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEW MEXICO**

Josue Isaac Rodas Godinez,
Alien (“A”)# 201-684-747,

Petitioner,

v.

ICE (“U.S. Immigration and Customs
Enforcement”); Dora Orozco, Warden of
Otero County Processing Center; Corey
Price, Field Office Director, ICE El Paso
Field Office; Matthew Albence, Acting
Director of ICE; Chad Wolf, Acting
Secretary of Homeland Security; William
Barr, U.S. Attorney General, U.S.
Department of Justice;

Respondents,

CASE NO.: 2:20-cv-466 KWR-SMV

ORDER

Petitioner moved this Court to stay proceedings, pursuant to Rule 6(b) of the Federal Rule of Civil Procedure and its inherent authority to manage its docket, because Petitioner stated that on September 8, 2020, class counsel in Garcia Ramirez v. ICE submitted a custody redetermination request to ICE on behalf of class member Petitioner Josue in light of that court’s July 2, 2020 ruling finding ICE liable for violating 8 U.S.C. § 1232(c)(2)(B) when it detains age-outs, and Petitioner referred to Petitioner’s Notice of Supplemental Authority at Doc. 20 (citing Garcia Ramirez v. ICE, Case No. 1-18-cv-508-RC, Doc. 333 (D.D.C.—order issued July 2, 2020)).

IT IS ORDERED that Petitioner's motion to stay proceedings is granted. This Court's Order setting the briefing schedule [Doc. 25] is modified as follows:

- (1) Petitioner must timely file a notice with this Court with the outcome and date of ICE's custody redetermination;
- (2) Petitioner must file his brief in chief no later than 14 days after the date of ICE's custody redetermination;
- (3) Respondents must file a Response no later than 28 days after the due date of the brief in chief; and
- (4) Petitioner may file a Reply no later than 14 days after the due date of the Response.

IT IS SO ORDERED



STEPHAN M. VIDMAR
United States Magistrate Judge

Submitted by:

/s/ Jacob Wedemeyer
Jacob Wedemeyer
Texas Bar No. 24060806
NM Federal Bar No. 20-88
Children's Program Director / Staff Attorney
Unaccompanied Minors Program
Diocesan Migrant & Refugee Services, Inc.
2400A E. Yandell Dr., El Paso TX 79903
Tel: 915-298-7985 direct;
Tel: 915-532-3975 ext 1501;
Fax: 915-532-4071
jwedemeyer@dmrs-ep.org

Attorney for Petitioner

Approved by:

Electronically approved on 9/15/2020
CHRISTINE H. LYMAN
Assistant United States Attorney
P.O. Box 607
Albuquerque, New Mexico 87103
(505) 224-1532; Fax: (505) 346-2558
Christine.Lyman@usdoj.gov

Attorney for Respondents